

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

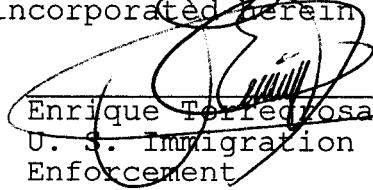
'07 MJ 8962

UNITED STATES OF AMERICA) Magistrate Case No.:
)
 Plaintiff,) COMPLAINT FOR VIOLATION OF
)
 v.) 21 U.S.C. § 952 and 960
) Importation of a Controlled
 Jorge Luis APALATEGUI, (1)) Substance (Felony)
 Liliana MAGALLANES-Higuera, (2))
)
 Defendants)
)

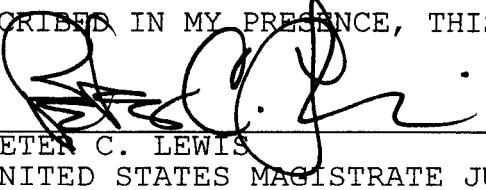
The undersigned complainant being duly sworn states:

That on or about December 4, 2007 within the Southern District of California, defendants Jorge Luis APALATEGUI and Liliana MAGALLANES-Higuera, did knowingly and intentionally import approximately 82.62 kilograms (181.76 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Section 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.


 Enrique Torredroso Special Agent
 U. S. Immigration & Customs
 Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 5th DAY OF DECEMBER 2007.


 PETER C. LEWIS
 UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA
2 v.
3 Jorge Luis APALATEGUI (1)
Liliana MAGALLANES-Higuera (2)

4 STATEMENT OF FACTS

5 This complaint is based on the reports, documents, and notes
6 furnished to U. S. Immigration and Customs Enforcement Special
7 Agent Enrique Torregrosa.

8 On December 4, 2007, at approximately 2125 hours, Jorge Luis
9 APALATEGUI and Liliana MAGALLANES-Higuera entered the United States
10 from the Republic of Mexico via the Calexico, California East Port
11 of Entry. APALATEGUI was the driver and registered owner of a 2005
12 Chevrolet Silverado bearing California U.S. plate 8H66154.
13 APALATEGUI was accompanied by his friend MAGALLANES.

14 During a pre-primary roving operation, CBP canine alerted to
15 APALATEGUI's truck. Customs and Border Protection Officer (CBPO)
16 Hernandez contacted APALATEGUI and obtained a negative oral Customs
17 declaration. CBP canine Officer Jones advised CBPO Hernandez his
18 assigned canine alerted to the bed of the truck. APALATEQUI,
19 MAGALLANES and the vehicle were escorted to the vehicle secondary
20 office for further inspection.

21 A subsequent search of the bed of the truck by CBPO Aguilar
22 revealed thirty-six packages concealed within the bed of the truck.
23 The approximate weight of the packages was 82.62 kilograms (181.76
24 pounds). CBPO Aguilar probed one package, which produced a green
25 leafy substance, which field-tested positive for marijuana.

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